

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:24-CR-00255
)	
Plaintiff,)	JUDGE CHARLES E. FLEMING
)	
vs.)	MAGISTRATE JUDGE JONATHAN D.
)	GREENBERG
SHAMIA HOLMES,)	
)	ORDER ACCEPTING/ENTERING
Defendant.)	PLEA OF GUILTY AND REFERRING
)	THE MATTER FOR PREPARATION
)	OF A PRESENTENCE REPORT

Before the Court is the Report and Recommendation (“R&R”) filed by United States Magistrate Judge Jonathan D. Greenberg recommending that the Court accept Defendant’s guilty plea and enter a finding of guilty. (ECF No. 9). This matter was previously referred to the Magistrate Judge, on consent of the parties, to conduct an arraignment and accept Defendant’s plea of guilty, conduct the colloquy prescribed by Fed. R. Crim. P. 11, cause a verbatim record of the proceedings to be prepared, refer the matter for preparation of a presentence report, and submit an R&R stating whether the plea should be accepted and a finding of guilty entered. (ECF No. 2).

On July 15, 2024, the government filed a two-count Information alleging that Defendant, with the intent to defraud, devised, and intended to devise, a scheme to defraud and to obtain money from the United States Small Business Administration—specifically, obtaining Economic Injury Disaster Loan and Paycheck Protection Program proceeds under false pretenses—by means of false and fraudulent pretenses, representations and promises, and transmitted or caused to be transmitted by means of wire communication in interstate commerce writings, signs, signals, pictures, or sounds for the purpose of executing the scheme to defraud. (ECF No. 1). Defendant waived her right to prosecution by indictment and consented to prosecution by information on

August 5, 2024. (ECF No. 5).

On August 5, 2024, Magistrate Judge Greenberg held an arraignment and plea hearing, during which the Defendant entered a plea of guilty to the Information. The same day, Magistrate Judge Greenberg issued an R&R recommending that the Court accept Defendant's guilty plea and enter a finding of guilty. (ECF No. 9). Any objections to the R&R were due on August 19, 2024. (*Id.*). Neither party has objected to the R&R.

On review of the record, including the written transcript of the November 8, 2023 hearing (ECF No. 11), the Court adopts the R&R. Defendant is found to be competent to enter a plea and to understand her constitutional rights. She is aware of the charges and of the consequences of entering a guilty plea. She is also aware of the trial rights she waives/gives up by pleading guilty. There is an adequate factual basis for the plea. Defendant denied being threatened into entering the plea and confirmed that no promises have been made to her, other than those contained in the plea agreement. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea is accepted.

Therefore, Defendant is adjudged guilty of Counts 1 and 2 of the Information, in violation of Title 18 U.S.C. § 1343. This matter is hereby referred to the U.S. Probation Office for the preparation of a presentence report. Sentencing is set for November 18, 2024 at 12:00 PM in courtroom 17A.

IT IS SO ORDERED.

Date: August 21, 2024



CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE